**TRIAL OF MR. BRADLAUGH**

**FIRST DAY – MONDAY, JUNE 18TH**

Yesterday, in the Queen’s Bench Division of the …………………Court of Justice, before the Lord Chief Justice and special jury, Mr. Charles Bradlaugh and Mrs. Annie Besant were indicted for publishing an obscene book entitled “The Fruits of Philosophy.” The court was crowded to excess, and the defendants were each ………………undated with a …………at a table in the “well.”

As the jury were about to be sworn, Mr. Bradlaugh said he has a motion to quash the indictment, which the Lord Chief Justice told him could not be made, as he was …………..at ………………..

Mr. Bradlaugh then read an extract from the 11th and 15th Vict., which enacted “That any objection to any indictment for any apparent defeat on the ……………….of it shall be taken by demurrer or motion to quash such indictment before the jury shall be sworn, and not afterwards, and it was for a defeat on the fact of the indictment that moved top quash it.

After some remarks from the Lord Chief Justice and the Solicitor General who appeared for the Corporation of London to prosecute, hos lordship said he would ………the point, if it was competent for him to do so.

The Solicitor General, with Mr. Douglas Straight and Mr. Mead appeared for the prosecution. Mr. Bradlaugh and Mrs. Besant were undefended. Copies of the work “Fruits of Philosophy” having been handed to the jury men.

The Solicitor General opened the case for the prosecution. He stated that the indictment was that the defendants had published an obscene work, which was calculated to corrupt and destroy public morals. The only question to the jury to consider would be whether the book was really obscene. In the case of the Queen v. Hickling decided to that court, where some ……………………..society published a ……………………. “Con……………in the …………………….Catholic church. so she that the practice of confession in that Church had an moral tendency, it was decided that the good motive could not …………………..the indictment. The book in question, which was the work of Dr. Knowlton, ad American was published 40 years ago under the title of “A …………………to Married Couples.” It was now published under the …………….of “Philosophy,” as an essay on population. For the defence it was pleaded that the question of population involved national interest, and that its defendants might ………………truth.

The Lord Chief Justice stated that the book referred to. In the case of the Queen v. Hickling was very like that which had been called in question the other day in the House of Lords, viz., “The Print in Absolution.” His lordship also pointed out that they must prove the obscenity of the book by its tendency to influence the passions, by its recommending some course of conduct which was calculated to injure public morals.

The Solicitor General proceeded to call the attention of the jury to the character of the “Fruits of Philosophy,” and to contend that it was likely to do an incalculable amount of harm circulated broadcast amongst the people. Directly he had concluded his address formal evidence was tendered by the ……………….officers of the purchase of copies of the work at Mr. Bradlaugh’s place of business, and the publication by the defendants. The book was put in as evidence.

Mr. Bradlaugh objected to this, stating that specific quotations should be made. That was the point on which he took objection to the indictment.

This closed the case for the prosecution.

Mrs. Besant then addressed the court, in a clear full voice. She denied in most emphatic terms that the book was indecent or obscene, or was likely to have an immoral tendency and prove an evil, but argued that on the contrary it was likely to prove a great been to the public, especially to the poor, whose means of subsistence were limited, and who were totally unable to support large families. She declared that if the jury brought in a verdict of guilty it would certainly be against the weight of evidence. If the book were not allowed to be circulated her clients – the poor- would not only continue in their poverty, but it was likely to increase, together with the ignorance of their children and with pauperism and crime. She declined to enter into the physiological aspect of the case to show that ………….standard writers had urged the same as that which was urged in this book. That part of the case would be dealt with by Mr. Bradlaugh. She pointed out certain extracts in “Tristram Shandy” to show that, when taken by themselves and considered as a sample of the whole, the work might be considered obscene and the same argument might be applied to Sharkespear’s works if “Venus and Adults” were taken as a fair sample of them. She contended that it was possible that matter which appeared in our dramatists, novelists, and posts works. In Fielding, Congreve, and Wycherley might …………….the passions, but dry physiological details would never do it either in the case of man or woman. After appealing to the jury to give the matter their most ………………….as conviction …………..ruin to herself and the co-defendants, she went on to point out that unless the considered the book calculated to corrupt the minds and hearts of children they could not find them guilty of the charge brought against them.

The pamphlet had not only been published by the defendants, last forty years ago it was published by Mr. Watson, and had since been published by Messrs. Holy…………………….Messrs. Brook, 282, Strand and Charles Watts. The latter person had been prosecuted for the publication and pleased guilty. That was a fact which weighed against the defence now. The defendants had published the book themselves in defence of the dead, who had advocated free ill-session and a free press, and to vindicate Mr. James Wabon, and the other publishers, from the imputation of having circulated a work calculated to ………………….and corrupt the morals of youth. The book had been published by herself and Mr. Bradlaugh openly. They were not experienced printers and publishers, but they had gone into the business for the purpose of defending a principle. So much for the history of the pamphlet. With regard to the matter it contained they published Knowlton’s pamphlet, not because they agreed with all it contained, but because it opened up an important matter of controversy. She had read several French works since the pamphlet had been published, and it seemed from the evidence of many of the authorities in France, that some of the checks to population advocated by Knowlton, were injurious to the health of the women and children. The object of the pamphlet, so far from destroying marriage and promoting illicit sin, was to make marriage possible to so many young men who shrank from it at present through want of means to support families. She combatted the contention of the Solicitor-General that the author of the pamphlet advocated the free gratification of …………………desires, and held that it must have been the Solicitor General’s large amount of business which prevented ………….from reading the book, and consequently from seeing that Knowlton advocated temperance from beginning to end. Mrs. Besant had not calculated her speech when the court rose.

**SECOND DAY – THURSDAY, JUNE 19TH.**

The Lord Chief Justice took his seat in the Court of Queen’s Bench precisely at half past ten, and proceeded with the case of the Queen v. Bradlaugh and Another.

Incidentally, and as a proof of the interest taken in the present trial, Mrs. Besant mentioned that she and her co-defendant had received a letter that ……………………….from Professor ………………………., who said that he ……………………….this case as one of the most ………………….trials in the history of our country. She then …………………….her speech for the defence. She began by stating that on the previous day she had brought her arguments down to those respecting the necessity of making checks on the progress of population. Some of these she would characterize as death producing checks, they being those which Nature and Providence had interposed to arrest the too rapid increase of mankind. There were also what were called restrictive checks. She should take up the consideration of those checks in order in same respects to meet the statement made by the Solicitor General to the effect that the whole of this book was only a cloak to cover that which was bad. Referring to the positive checks of population, she said they arose from want of food, from war, which, in ………………….nations in particular, tended materially to destroying men in the prime of life, and from the hardships of daily life killing off the sickly and the young. She read server extracts from the works of Darwin and others and then proceeded to speak of the arrest of the spread of population in uncivilized nations, and which was beginning to ……………………largely amongst ourselves – infanticide. She also alluded to the murder of the aged the moment they ………………..to be productive. Turning next to the importance of introducing checks on population, she appealed to the jury to consider the destitution of the people having large families. It was to them (the jury) that the poor were looking, hoping that instead of these checks introduced by savage nations the country would give them such as were of a scientific nature. She then alluded to China as a nation where the people had been taught to foster early marriages, the result of which was the population had become excessive, …………..was shown by the S…………………….for the present year; consequently the emigration of these people with …………………….habits had …………………………a great social and political difficulty which required solution in America and Australia. The population of China they were told was more than 150 million. The result was there was not food sufficient, and …………………..families were so poor that they exposed their children in the …………….with a view that they might perish. There was an enormous amount of infanticide in that country amongst the female children, and consequently there was a great spread of unnatural crime. In America and Australia, where the Chinese ………………………had ……………………their immoral practices, the most ……………… complaints existed. In China also, besides infantine, there was the check arising from inhaling ……………………After a description of the effects of opium in respect to social interests and the check it produce on the increase of population, she next addressed the jury on the checks of population in Berope. She pointed out how the population had increased of late years, and particularly during the past hundred years. It was, therefore, ………….she argued, that …………………….existed in former times which were now almost unknown. For instance, now the sick were placed in hospitals, they were not allowed to perish but rather to gain some degree of health. They then married, and transmitted to posterity unhealthy offspring; Sanitary laws had been taught, and instead of the people being carried off by plagues, their lives were lengthened and disease prevented. These and other matters were the reasons why population now increased. As time went on they would more and more ……………….arbitration instead of war; more and more would they be able to discover …………..for grappling with ………………..; so that the time would come when they would perish for lack of food. Therefore the further they advanced in life he more imperative it was for them to adopt means for checking the increase of population. Addressing herself ……………to the question of witnesses, she expressed the gratification which she felt in the fact that two gentlemen, who would be called in support of some the statements in the book in question, were clergymen. Others were medical men, who would ……………………….what had been said about overcrowding. Dr. Lankester, for instance, had large experience of the ………………of St. James’s yet he told us that there was a ……………….population of 10,000 in that district who oguth to be removed for the benefit of the real. It was not, she said, that she and her friends did not love children that this book was published, but because they had an affectionate interest in their welfare, and it was because she wished that young men and young women might be able to marry in the spring time of their life that she asked for the verdict of the jury and that our streets might be …………and …………..happier. Sometimes they heard of ……………………..to marry by young men; but if the principles of the book before the court were recognized, such a disinclination would not exist. Referring next to profligacy, she said it was the result of the present system of society, and had as it was celibacy was……………….., for statistics she ……………..that out of every 1,000 unmarried men 11.5 died annually, ……………..of that number of married men but ………………….Sir Benjamin Brodie had said that the evils of celibacy were too great to mention, therefore she hoped that the jury would agree to mention, therefore she hoped that the jury would agree with her that early marriages were best. Next followed a number of extracts from books on the importance of recognizing the future ………………of the country if no check be imposed on the increase of population. There were followed up by reading the opinions of medical men on over-……………..and the mistaken idea that long nursing prevented pregnancy. In this part of her address she repeatedly urged the importance of giving married women physiological information. She then commented on the second chapter of the book, taking up the paragraphs consecutively. On this she argued that no physical truth could be a …………. evil or in itself indecent. The Solicitor General, however had told them that if this book were placed in the hand of medical students it would not be obscene, but that a book which to a medical ……….was a decent book, a moral book, would be ……………indecent the moment it was placed in a girls’ school ………the hands of their parents. But in answer to this ……would be able to show that Dr. Carpenter and Dr. Kirk had published works with ……………….which were immeasurably more obscene than the book in question and what was of great importance, these books were sanctioned by the Government, with ………….the Solicitor General had some connection, and were to be found in girls’ …………..If, therefore, she and her co-defendant were to be ……………….. or ………….for publishing that book, she would urge that it would be only for that ……………………. Beaconsfield, my Lord Derby, and other noble lords of the Government, should also be made to appear before jury, under the charge of circulating an obscene book. She then argued that young persons ought to be ……………….in physiology with a view to remove obscene thoughts. She thought that instruction of this kind were conveyed – instead of leaving necessary knowledge to be obtained in other way ---the mind, instead of being inflamed with sexual ………….., would be ……………….with …………………..at the ………….and operation of nature in working form such unlike means. Another point of the Solicitor General was…………the placing of physiological knowledge within ………….would provide opportunities for the moral to …………..no longer anxious to ………………..their ……………………She …………….the …………………….of such an argument. Was the knowledge of …………..to the withheld from the people because they might ……..it in the destruction of the lives of their fellow creatures. Physiological knowledge might in some instances be …………………….but in ……………………would be …………..She would …………………….the ……………………………………………………..of the women of England was ……………………..by a fear of their …………………………..circumstance ………………………..by the …......... The chastity of the women of this country ……………….ground than that. Having …………………….her reference to the second chapter of the book she then called the attention of the jury, ………..some other parts of the work; she remarked that it was written too …………………….and too old …………………..cause it to……read for …………….purposes. The other part of the book ……..would leave to her co-defendant. After some special remarks respecting pages 31, 32 and 33, where special reference was made to a work by Dr. ……………….concerning advice to a wife, she passed on to take up some more observations made by the Solicitor-General of an erroneous character, but which in his absence she would hope had not been seriously meant. She would repudiate the insinuations of that gentleman that she was guilty of very bad things in circulating this book, whereas she would point out the great good conferred by the publication of information which enlightened the mind and prevented much suffering. She would therefore put it to the jury whether she and her co-defendant could be chargeable for publishing a book which was likely to corrupt the young and demoralize society. Concluding what she had to say respecting the content of the book, she next defended it from saying that it was published at a very low price. It was said that it was sold at 6d to anyone who from motives of curiosity or morbid desire sought to ……..it. Why, it was the glory of several publishing firms in London, that they were able to sell books of information at a cheap price. Messrs. Cansell, Futter, & Galpin had of late published many books of a most valuable character for 6d or 7d. And there was no question there were books published by some London houses which contained information far more explicit than the one in question. She had herself sent to Longman’s for a book, merely enclosing stamps. The publishers did not write to her to enquire whether she was a married woman, and it came to her freely through the past, for it was not stopped as another book had been (Laughter). As to the sale of the book, they had ceased to supply hawkers, but its circulation since the 25th of March had been 125,000. After a rapid glance at the clock (3-24) she proceeded to bring her address to a conclusion, speaking with more ………………and rapidity. ………………..she said, the jury found her guilty of intent to corrupt the young and she could not think they ………….she asked of them a verdict of justice at their hands. She had not published the book in ignorance, nor deny that she was a party to its publication. But she would deny and that most emphatically, as also witnesses would testify, that it was a book calculated to inflame the ……………….of the young. She held that it was one which would prevent much suffering, and prove a benefit in mankind. She then sat down, having spoken for a day and a half.

Mr. Bradlaugh then rose to open up his defence. He began by saying that he and his co-defendant never attempted to sell a single copy of the book before they sent word to the police office of their intention. After a few further remarks the court adjourned.

**THIRD DAY – WEDNESDAY, JUNE …………….**

The court opened at half past ten, and was ………………..crowded. A number of publishers were present to give evidence on the part of the defendants respecting the ………….sale of certain books on physiological science.

Mr. Bradlaugh resumed his address by making some explanations respecting what he had said the previous day concerning a paper in the Fortnightly. ………………., on the propriety of late marriage with a view to check over-population, and was proceeding to refer to the remarks of the Lord Chief Justice at a former trial respecting the law of obscenity, when

The Lord Chief Justice said: Is it desirable to be always discussing this question? and let me say that you must address yourself to the jury, and not to me.

Then, continued Mr. Bradlaugh, the first proposition which he would submit to the jury was that it had been proved over and over again that over-population was a fruitful ………….of poverty, ignorance, …………….., …………….., and misery; therefore that ……………………to avoid a to great increase of children was perfectly moral. he would submit that the advocacy of restraint after marriage with a view of checking population did not tend to obscenity, but to promote the comfort and happiness of mankind. It was not an evil to tell married persons that they could exhibit without having children, and he would say with all the emphasis possible that this pamphlet was not written – not a line of it –in order to prevent marriage. But what I was designed to teach was the possibility of avoiding great evils arising from profligacy, and other habits. According to a statement of Dr. Lankester there were …………..cases of infanticide – or murders of children in London which occurred in a given period. Therefore, he (Mr. Bradlaugh) would …………………..that …………………….how to avoid conception would avoid a great amongst …………people that the evils of over-population existed, he urged that to teach them how to avoid those evils was …………………….about …………..them for which they would be grateful. He contended also that the advocacy of all checks population was lawful which did not ……………the ………………………of any form of life. Something had been said by the prosecution about printing this pamphlet in a cheap and popular form. If the authors had expressed themselves in French, Latin, Greek on some other foreign tongue, of what use would the pamphlet have been to those whose poverty and misery, it was sought to remove? If it were considered that there were thousand of labouring men who through the …………….of others were ……………………..£1 per week, and with that money had to ……………..a large family, clothes them, and find them shelter, and when it was also considered that a proper union allowance was only 4s. 6d. a week and a …………………each child, he would ask, how was such a man to give a great price for a book on physiological science, or read it if written in a foreign tongue. He then proceeded to speak of the pamphlet. He believed that he should be able to prove to the jury that there was not a single syllable in the pamphlet on which the Solicitor General could place his finger on teaching obscenity. The whole pamphlet was written with a view of avoiding any kind of excitement. He would begin with the last paragraph on ……………….and the paragraph proceeding it. He then compared the language of those with a work by Acton on the generally …………….He next read extracts from the works of Dr. Carpenter and others, and ……………..that the language used by those persons was more descriptive than that this pamphlet; the books were even accompanied with plates. The Solicitor General would probably say that these books were published by Messrs. Churchill of London, as medical works. But they were in the catalogue of that firm, and any person sending the published price could receive the books through post. If was a fact that the learned Recorder of London, who charged the jury against him and his co-defendant, had given away in a public school a book which gave the same details as the pamphlet which formed the subject of the present trial and (holding up a book) he had there a book given by Sir John Lubbock to a youth, who would be …………….as a reward in a public school. It was more than his pamphlet yet the Solicitor General said his book was in filthy, ……………, and ……………book. These were the epithets heaped on himself and co-defendant, and he would ask the jury to vindicate them against such aspersions. Mr. Bradlaugh then went on to read a larger number of extracts from his pamphlet, comparing them with words used in other books. He referred in particular to page twelve of the Knowlton pamphlet, and to J. Marion Sims’s book, published in America. He showed the jury the plates in the latter book, and read from page 181, also from page 14 of Charles Knowlton’s pamphlet. What, Mr. Bradlaugh said, was a lengthily and plainly described in these books was but briefly and carefully alluded to in the pamphlet he had sold, yet he was charged with selling filth. He made several alter comparisons of this kind with the language of Charles Knowlton and then asked whether the fact that a book was published at a ……………..was a proud that: was not impure? Could ………………….be measured by gold? Could it, then, he just to send him to gaol for selling for 6d., what was sold by Messrs. Churchill, and numerous other publishers, at a higher rate? What justice, he would ask, was there in the Solicitor General charging him with publishing an obscene book when so many books, written with greatest description, were to be bad?

The Lord Chief Justice said he had not interrupted Mr. Bradlaugh in quoting largely from various medical works; but it must be plain that what the Solicitor General affirmed was, that those books were written by medical men for medical men and therefore, were considered to contain medical knowledge which it was not essential for the general public to know, or be placed within their reach at a low price. That was the line of his argument, and if instances were multiplied without end of books containing physiological knowledge, the Solicitor-General a statement would not be vitiated.

Mr. Bradlaugh said his simple preposition was that the whole of the matter in the pamphlet was to be found in other books, such as Carpenter’s Physiology, and the works of Charles Knowlton and Marion …………., and what he sought was to …………………….such knowledge for the benefit of the poor, with a view to impose a check on the increase of population. After the intimation from the Lord Chief Justice respecting the special character of the works he had quoted, no being known as medical work written by medical men, he would not ……………the questions, but he should take up one or two others. What he should quote ……………were books published by Hardwicks and …………….Churchill, B………….and Smith and Son. What he ……………was that there was the same right to give to the poor …………..what was offered to the …………………………………..He then prosecuted to read a number of other ………………………….from medical books which he said could be …………………with in girls’ school. Following these, questions were read from a book ……………………………….by Messrs. ………………………………..and Co. and Messrs. T………….It was not written by a quack, though ……………..might say that it was from the pen of an American professor ………………………On the title page were the words …………………………………………………………………which he (Mr. Bradlaugh) would………………………..to the …………………Solicitor General. What ………………………………….America Carpenter and others did in England, their books being found in almost all ………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………Was it …………………………………………………………………..something should be ………………………….this profligacy, which was created ………………………………………afraid of marriage. What he and his co-defendant wanted was to make houses happy, to ………………………………………….marriages instead of providing for profligacy, or enforced celibacy. It was not a question with the jury whether there should be checks ……………….the population, but whether he had done wrong in publishing, at a cheap price, knowledge which it was necessary to give. Let them not blame poor men for …………………………….and brutal without putting themselves in their ………………….them consider this, and consider what he had said about this book and then give him a ………………………………………………………….

Mr. Bradlaugh ………………………his address at 3 o’clock.

Mrs. Besant then called the following witness to whom she put questions ……………….to the answers given.

Alice Vickery from the Ladies’ Medical College in Paris, where she had studied six years, said she had attended ……………………………………………………………..in the Lying Inn ………………………………………………………………….and had also attended the ………………………………………………………………….had read the pamphlet and considered it ………………………………….of a medical men her ………………………………………her that much ……………………………………………..having large families. It was within the knowledge and her experience that poor women ………………………………………………..in their ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………....................................................................................................................................................